

**PATRICK SMITH**  
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*17. Pro Per*

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Priority \_\_\_\_\_  
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UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

**Patrick Smith**

Plaintiff(s),

v.

**Eugene Morse**

Defendant(s).

CASE NUMBER

**2:08-cv-03371-REK(SSX)**

NOTICE OF DISMISSAL PURSUANT  
 RULE 41(a) or (c) F.R.Civ.P.

PLEASE TAKE NOTICE: (Check one)

☒ This action is dismissed by the Plaintiff(s) in its entirety.

☐ The Counterclaim brought by Claimant(s) \_\_\_\_\_ is dismissed by Claimant(s) in its entirety.

☐ The Cross-Claim brought by Claimant(s) \_\_\_\_\_ is dismissed by the Claimant(s) in its entirety.

☐ The Third-party Claim brought by Claimant(s) \_\_\_\_\_ is dismissed by the Claimant(s) in its entirety.

☐ ONLY Defendant(s) \_\_\_\_\_

is/are dismissed from (check one) ☒ Complaint, ☐ Counterclaim, ☐ Cross-claim, ☐ Third-Party Claim brought by \_\_\_\_\_

The dismissal is made pursuant to Rule 41(a) or (c) of the Federal Rules of Civil Procedure.

**12/04/08**  
 Date

**Patrick Smith 17 Pro Per**  
 Signature of Attorney/Party

IT IS SO ORDERED.  
 DATED: **DEC 10 2008**  
 \_\_\_\_\_  
 UNITED STATES DISTRICT JUDGE

NOTE: F.R.Civ.P. 41(a): This notice may be filed at any time before service by the adverse party of an answer or of a motion for summary judgment, whichever first occurs.

F.R.Civ.P. 41(c): Counterclaims, cross-claims & third-party claims may be dismissed before service of a responsive pleading or prior to the beginning of trial.

2008 DEC -4 PM 3:13  
 CLERK OF COURT  
 CENTRAL DISTRICT OF CALIFORNIA  
 LOS ANGELES  
 BY \_\_\_\_\_  
 LOGGED